

# **32<sup>nd</sup> International Conference of Data Protection and Privacy Commissioners**

**Jerusalem, Israel  
27-29 October, 2010**

## **Resolution on the improvement of the conference's organisational set up**

### **The Conference recalls that, among other things:**

- The 31<sup>st</sup> International Conference of Data Protection and Privacy Commissioners received the submission of the "Steering Group Resolution on the Admission of Observers from International Governmental Organizations to the Closed Session of the Conference", the "Resolution on Accreditation of Sectoral Data Protection Authorities" and the "Resolution of the Credential Committee on the Improvement of the Organizational Set Up of the Closed Session".
- Taking note of the debates at the Closed Session of the Conference on the merits and the implications of these draft Resolutions, the Conference agreed on the establishment of a Working Group, made up of those Accredited Members of the Conference that voluntarily joined it, mandated to assess these Resolutions and make concrete proposals which tackle the issues which they address.
- The Working Group was created, under the ad hoc coordination of the Spanish Data Protection Agency, and was composed by the members listed in Annex B. According with the deadline agreed by the Conference, that is, 30<sup>th</sup> June, the Working Group has been collecting the relevant information, assessing the different alternatives and drafting various working papers.
- In that sense, the Group has made significant progress towards equipping the Conference to further evolve as the global forum of Data Protection and Privacy Enforcement Authorities. In particular, the Working Group has developed a new framework for the improvement and clarification of the process and criteria for recognising the credentials of data protection authorities. The new set of rules offers solutions to some of the main difficulties encountered by the Credentials Committee in the recent past, by adopting an approach focussed on the functions of new members with regard to data protection or privacy related legislation, rather than on purely formal requirements.
- However, the Working Group has come to the conclusion that, even though some steps have been taken in the right direction, more time is needed to properly carry out the task of devising a whole new organisational set up to the Conference. Moreover, it believes that this task could be performed by an Interim Executive Committee that, while carrying on this function, could serve as a testing ground for a new management structure of the Conference. Taking into consideration its provisional nature, it seems appropriate to appoint its members according to objective criteria, rather than organising a formal election.

**Therefore, the Conference resolves:**

1. To support the work carried out by the Working Group on the Improvement of the Organizational Set Up of the International Conference.
2. To adopt the Accreditation Rules drafted by such Working Group, which are enclosed to this resolution as Annex A, and to apply this rules to assess the applications submitted to this 32<sup>nd</sup> International Conference.
3. To establish an Interim Executive Committee, with a term of office of one year, that consists of the hosting authority of the 33<sup>rd</sup> International Conference and of the hosting authorities of the preceding four Conferences. This Interim Committee, in close consultation with the International Conference:
  - a. Shall be responsible for continuing the works started by the Working Group, with the goal that the 33<sup>rd</sup> International Conference adopts its new organisational set up, to properly face the challenges derived of the XXI Century; especially by defining the mission and objectives of the International Conference, including international cooperation in the field of enforcement;
  - b. Shall elect one of its members as Coordinator, within one month from the adoption of this Resolution.

## **ANNEX A**

### **Accreditation Rules**

#### **1. Member status**

1. Supervisory Authorities that meet the following criteria and successfully complete the application process provided for in the next section of these Rules, shall be deemed Members of the Conference:
  - a. A public entity, created by an appropriate legal instrument based upon legal traditions of the country or international organisation which it belongs to;
  - b. Has the supervision of the implementation of the legislation on the protection of personal data or privacy as one of its principal regulatory mandates;
  - c. The legislation under which it operates is compatible with the principal international instruments dealing with data protection or privacy.
  - d. Has an appropriate range of legal powers to perform its functions; and
  - e. Has appropriate autonomy and independence.
2. The fact that, according to the principles specified above, a country is represented by more than one Member, shall not affect the principle that only one vote is cast on behalf of any country.

#### **2. Submission of applications for membership**

1. Supervisory Authorities that consider they meet the criteria provided for in the previous section of these Rules may submit, to the Conference's Credentials Committee, an application for becoming a Member to the Conference. For that purpose, they shall:
  - a. Draft an application letter to become a Member to the Conference.
  - b. Fill in the appropriate application form, by answering all the questions.
  - c. Enclose all the necessary accompanying documents to support their application.
  - d. Provide the documentation to the Credentials Committee, at least, three months before the next Closed Session, to enable it to be properly considered.

#### **3. Observer status**

1. The following entities and organisations can take part in the Conference, with an Observer status:
  - a. Public entities that do not meet the criteria provided for in the first article, but are involved in dealing with the protection of personal data and/or privacy.
  - b. International organisations whose activity is related to the protection of personal data or privacy.
  - c. Any other organisation that has granted Observer status to the Conference, under the principle of reciprocity.
2. Observer status is granted once an entity or organisation has successfully completed the application process provided for in the next section of these Rules.

#### **4. Submission of applications for accreditation as Observer**

1. Entities or organisations that meet any of the conditions provided for in the previous section of these Rules may submit, to the Conference's Credentials Committee, an application for becoming Observer to the Conference. For that purpose, they shall:
  - a. Draft an application letter to become an Observer to the Conference.
  - b. Fill in the application form, by answering all the questions.
  - c. Enclose all the necessary accompanying documents to support their application.
  - d. Provide the documentation to the Credentials Committee at least three months before the next Closed Session, to enable it to be properly considered.

#### **5. Submission of requests for review**

1. The Credentials Committee may be requested by at least three Members of the Conference, for reviewing the status of a Member or Observer that may no longer meet the criteria provided for in sections 1 or 3 of these Rules of Procedure, respectively. For that purpose, the requesting Members shall:
  - a. Draft an application letter asking to review the status of a Member or Observer.
  - b. Enclose all the necessary accompanying documents to support the request.
  - c. Provide the documentation to the Credentials Committee at least three months before the next Closed Session, to enable it to be properly considered.
2. If a Member or Observer thinks that it no longer meets the aforementioned criteria, it shall notify this fact to the Credentials Committee at its earliest convenience, but before the next Closed Session.

#### **6. Credentials Committee**

The powers, membership, rules of procedure and other criteria for the Credentials Committee shall remain unchanged.